

10/790,367

1219/SYMBP174USA

REMARKS

Claims 1-20 are currently pending in the subject application and are presently under consideration. A version of the claims is at pages 2-4. Independent claims 1, 12 and 18 have been amended herein to further emphasize novel features of the invention. In addition, claim 5 is cancelled herein. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claims 1-20**

Claims 1-20 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over U.S. 6,820,813. Withdrawal of this rejection is respectfully requested in view of the Terminal Disclaimer submitted herewith.

**II. Rejection of Claims 1-3, 5-8, 12-13, 15 and 18 Under 35 U.S.C. §102(e)**

Claims 1-3,5-8,12-13,15 and 18 stand rejected under 35 U.S.C. §102(e) as being anticipated by Thompson (U.S. 6,065,880). This rejection should be withdrawn for at least the following reasons. Thompson fails to disclose all features of the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The claimed invention relates to an adapter unit that can be detachably secured to a hand-held computer such as a portable digital assistant. In particular, amended independent claim 1 recites an adapter unit that communicates with a personal digital assistant (PDA), comprising *a carrier portion that includes two sidewalls and a bottom wall* that conform to a surface of the PDA, *at least a portion of each of the two sidewalls are curved to partially encompass at least a portion of a display-side surface of the PDA*; and a product identification reader that is encased

10/790,367

1219/SYMBP174USA

in the carrier portion and reads a product identification code. Independent claim 18 recites similar aspects. Thompson is silent regarding such novel aspects of the subject claims.

Thompson teaches an L-shaped adapter employed to sync a PDA with a host computer. The L-shaped housing provides for easy attachment/removal of the PDA, but does not afford the ruggedness and security provided by the claimed invention. In particular, the adapter taught by Thompson does not protect the PDA from side-to-side movement, nor does it have a restraining mechanism to avoid accidental detachment of the PDA. To the contrary, the claimed invention provides an adapter comprising a carrier portion that has a bottom wall to support a bottom of the PDA and two sidewalls wherein *at least a portion of each of the two sidewalls are curved to partially encompass at least a portion of a display-side surface of the PDA*. Thus, the claimed invention supplies added stability and security for the PDA within the adapter-PDA unit *via* the curved sidewalls of the carrier portion of the adapter unit, while Thompson fails to contemplate such features. The cited reference does not extend any portion of the L-shaped adapter unit around the display-side surface of the PDA to achieve such stability as in independent claim 1, let alone a portion of the adapter unit that is *curved to encompass at least a portion of the PDA*, as afforded by amended independent claim 18.

Independent claim 12 further provides a carrier portion of the adapter unit that includes *two sidewalls, and conforms to at least a portion of a front surface of the PDA, the two sidewalls are overlapped by a wall portion of the adapter unit*. The added strength to the sidewalls provided by the overlapping portion of the adapter unit also facilitates easy handling of the entire unit for the user. At page 4 of the Office Action, with regard to claim 7 and now cancelled claim 5, the Examiner contends that a portion between the arm and back surface of the adapter overlaps the two sidewalls of the adapter. Applicants' representative respectfully disagrees. The portion between the arm and back surface is merely a point of juncture between these two surfaces. This point of juncture is within the two sidewalls of the adapter, thus cannot overlap the two sidewalls of the adapter. Consequently, the reference does not disclose that *the two sidewalls are overlapped by a wall portion of the adapter unit*, as afforded by independent claim 12.

In view of at least the foregoing it is readily apparent that Thompson does not teach the identical invention in as complete detail as is contained in independent claims 1, 12 and 18 (and the claims that depend from). Accordingly, this rejection should be withdrawn.

10/790,367

1219/SYMBP174USA

**III. Rejection of Claims 4 and 19 Under 35 U.S.C. §103(a)**

Claims 4 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Herrod *et al.* (U.S. 6,405,049). This rejection should be withdrawn for at least the following reasons. As previously discussed, Thompson fails to disclose all aspects of independent claims 1 and 18 (from which claims 4 and 19 depend). Herrod *et al.* fails to compensate for the aforementioned deficiencies of Thompson. Thus, the combination of Thompson and Herrod *et al.* fail to render the claimed invention obvious. Accordingly, this rejection should be withdrawn.

**IV. Rejection of Claim 9 Under 35 U.S.C. §103(a)**

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Janik *et al.* (U.S. 2002/0078248). This rejection should be withdrawn for at least the following reasons. As discussed *supra*, Thompson fails to disclose all limitations of independent claim 1 (from which claim 9 depends), and Janik *et al.* fails to compensate for the aforementioned deficiencies of Thompson. Accordingly, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claims 10-11 Under 35 U.S.C. §103(a)**

Claims 10-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Carlson (Des. 426,549). Withdrawal of this rejection is requested at least for the following reasons. As noted *supra*, Thompson fails to disclose all limitations of independent claim 1 (from which claims 10 and 11 depend). Carlson fails to compensate for the aforementioned deficiencies of Thompson. Therefore, this rejection should be withdrawn.

**VI. Rejection of Claim 14 Under 35 U.S.C. 103(a)**

Claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of Stockwin (E.P. 689298 A1). Withdrawal of this rejection is requested at least for the following reasons. As noted above, Thompson fails to disclose all limitations of independent claim 12 (from which claim 14 depends). Stockwin fails to compensate for the aforementioned deficiencies of Thompson. Accordingly, this rejection should be withdrawn.

10/790,367

1219/SYMBP174USA

**VII. Rejection of Claims 16-17 and 20 Under 35 U.S.C 103(a)**

Claims 16-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Garret *et al.* (US 6,708,887). Withdrawal of this rejection is requested at least for the following reasons. As previously discussed, Thompson fails to disclose all limitations of independent claims 12 and 18 (from which claims 16, 17 and 20 depend). Garret *et al.* fails to compensate for the aforementioned deficiencies of Thompson. Accordingly, this rejection should be withdrawn.

**CONCLUSION**


The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [SYMBP174USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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